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17224 U.S. PTO
042205

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: ISRAEL HIRSHBERG

ART UNIT:

SERIAL NO.: 10/

EXAMINER:

FILED: CONCURRENTLY HEREWITH

P.C.T. APPLICATION NO.: PCT/IL2003/000775

P.C.T. INTERNATIONAL FILING DATE: SEPTEMBER 26, 2003

RECEIVED

PRIORITY CLAIM: SEPTEMBER 26, 2002

TITLE: INSURANCE PLAN

11 JAN 2006

PETITION TO REVIVE ABANDONED APPLICATION
UNDER THE PROVISIONS OF 37 C.F.R. §1.137(b)

Legal Staff
International Division

Mail Stop PCT
Hon. Commissioner for Patents
United States Patent and Trademark Office
P. O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

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Applicant respectfully petitions the Commissioner for Patents to revive the above-identified patent application, pursuant to 37 C.F.R. §1.137(b), on the ground that such

"Express Mail" mailing label number ED 282855640 US
Date of Deposit April 22, 2005

I hereby certify that this paper is being deposited with the U.S. Postal Service "Express Mail - Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to: Hon. Commissioner for Patents, United States Patent and Trademark Office, P. O. Box 1450, Alexandria, Virginia 22313-1450.

Edwin D. Schindler, Reg. No. 31,459

April 22, 2005

Date

application was unintentionally abandoned (i.e., the entire period of delay in meeting the outstanding requirements for entry into the U.S. National Phase of the above-identified P.C.T. application was unintentional) for the reasons specified in the attached "*Statement of Inventor Israel Hirshberg in Support of Petition to Revive Patent Application, Pursuant to 37 C.F.R. §1.137(b).*"

The above-identified P.C.T. international application, designating the United States, was filed on September 26, 2003, and validly claimed foreign priority on the basis of a patent application filed in Israel on September 26, 2002.

The above-identified P.C.T. international application was, therefore, due for entry into the U.S. National Phase thirty (30) months from the claimed priority date, or by, Monday, March 28, 2005. Thus, the above-identified patent application went "abandoned" after Monday, March 28, 2005, when the U.S. National Fee was not paid for entry into the U.S. National Phase.

In support of this Petition to Revive, Applicant hereby submits the following documents and remits the following fees:

1. The Petition to Revive fee of \$750.00 (small entity) on the ground that the entire delay in entering Applicant's P.C.T. international application into the United States

national phase was unintentional.

2. *"Statement of Inventor Israel Hirshberg in Support of Petition to Revive Patent Application, Pursuant to 37 C.F.R. §1.137(b),"* explaining unintentional delay in entering the U.S. National Phase.

3. A proposed response to the outstanding requirement is enclosed, as follows:

- (a) Copy of P.C.T. Application No. PCT/IL2003/000775;
- (b) The Basic National Fee of \$150.00 (small entity);
- (c) The Examination Fee of \$100.00 (small entity);
- (d) The Search Fee of \$50.00 (small entity) - the United States Patent and Trademark Office having acted as the International Searching Authority for P.C.T. Application No. PCT/IL2003/000775;
- (e) The surcharge of \$65.00 (small entity) for filing the Declaration later than 30 months from the claimed priority date;
- (f) Declaration/Power of Attorney;
- (g) Preliminary Amendment; and,
- (h) Information Disclosure Statement.

A check in the amount of \$1,115.00 is enclosed to cover the following fees:

- (a) Petition to Revive fee of \$750.00 (small entity);
- (b) Basic National Fee of \$150.00 (small entity);
- (c) The Examination Fee of \$100.00 (small entity);

- (d) The Search Fee of \$50.00 (small entity); and,
- (e) The Surcharge Fee of \$65.00 (small entity).

The Office is hereby authorized to charge any additional fees which may be due in connection with the prosecution of the above-identified patent application to the undersigned's Deposit Account (Account No. 19-0450). A duplicate of this paper is enclosed for billing purposes.

With the concurrent submission of the foregoing documents and fees, Applicant respectfully submits that all outstanding requirements for entry of the above-identified P.C.T. international application into the U.S. National Phase are now satisfied.

I hereby declare that all statements made herein on my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this petition is directed.

It is, therefore, respectfully submitted that the above-identified patent application should be held as being

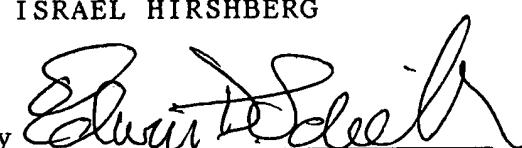
"unintentionally" abandoned, i.e., that the entire period of delay in entering the above-identified P.C.T. international application into the U.S. National Phase was unintentional, for the reasons specified in this Petition, and that prosecution of the above-identified P.C.T. international application should be resumed and accepted into the U.S. National Phase for a national patentability examination.

Such favorable action is respectfully requested and earnestly solicited.

Respectfully submitted,

ISRAEL HIRSHBERG

By


Edwin D. Schindler
Attorney for Applicant
Reg. No. 31,459

Five Hirsch Avenue
P. O. Box 966
Coram, New York 11727

(631)474-5373

April 22, 2005

The Commissioner is hereby authorized to charge the Deposit Account of Applicant's Attorney, Account No. 19-0450, for any additional fees which may be due in connection with the prosecution of the present application (except pre-payment of the Issue Fee), but which have not otherwise been provided for.

VIII-2-1	<p>Declaration: Entitlement to apply for and be granted a patent</p> <p>Declaration as to the applicant's entitlement, as at the international filing date, to apply for and be granted a patent (Rules 4.17(ii) and 51bis.1(a)(ii)), in a case where the declaration under Rule 4.17(iv) is not appropriate:</p> <p>Name:</p>	<p>in relation to this international application</p> <p>HIRSHBERG, Israel</p> <p>is entitled to apply for and be granted a patent by virtue of the following:</p>
VIII-2-1 (i)		HIRSHBERG, Israel of 12 Livne St. Alfei Menashe Israel is the inventor of the subject matter for which protection is sought by way of this international application
VIII-2-1 (ix)	This declaration is made for the purposes of:	all designations

10/532640

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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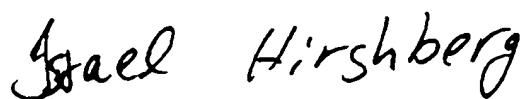
TITLE: INSURANCE PLAN

STATEMENT OF INVENTOR ISRAEL HIRSHBERG IN SUPPORT OF PETITION
TO REVIVE PATENT APPLICATION, PURSUANT TO 37 C.F.R. §1.137(b)

Hon. Commissioner for Patents
United States Patent and Trademark Office
P. O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

I, ISRAEL HIRSHBERG, declare that I am the sole inventor and Applicant of the invention disclosed and claimed in the above-identified patent application, and render this statement in support of the accompanying Petition to Revive my P.C.T. international patent application as to the United States designation of said application, and hereby state that:



1. I have been prosecuting said P.C.T. international application on my own and first learned on March 30, 2005, after e-mailing Edwin D. Schindler, the U.S. patent attorney since retained to prosecute my patent application in the United States Patent and Trademark Office, that the 30th-month statutory deadline for filing my P.C.T. international application into the U.S. National Phase expired after **Monday, March 28, 2005**.

2. Upon learning that my P.C.T. international application had become "abandoned" under United States patent law, I promptly conferred with, and authorized, my U.S. patent attorney to take the necessary steps for reviving my P.C.T. international application with respect to the United States designation, so that a U.S. patentability examination can proceed forward.

3. The entire period of delay in entering my P.C.T. international patent application into the U.S. National Phase was due to my unfamiliarity with United States patent law and entirely unintentional.

Please note that I am prosecuting also a parallel European patent application. The European Patent Office send me a letter informing me on their deadline as April 26, 2005. After receiving that letter I thought that the same deadline applies for the US Patent Office.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and, further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001

Israel Hirshberg

of Title 18 of the United States Code and that such willful false statements may
jeopardize the validity of the application or any patent issued thereon.

Israel Hirshberg
Israel Hirshberg, Inventor

April 12, 2005
Date

Israel Hirshberg